

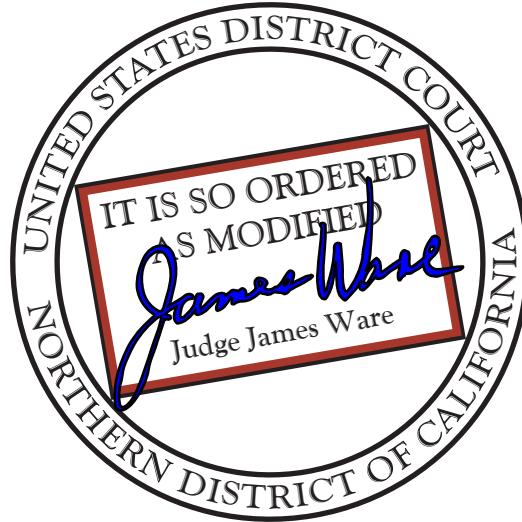
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) No.: CR 02-20145 JW
Plaintiff,) STIPULATION RE: NOVEMBER 21, 2008
v.) HEARING
FEI YE and MING ZHONG,) Sent. Date: November 21, 2008
Defendants.) Time: 1:00 p.m.
) Court: Hon. James Ware

The parties are currently scheduled to appear before this Court on November 21, 2008, at 1:00 p.m. for an evidentiary hearing. The Court originally set the evidentiary hearing to determine loss amount for sentencing purposes. Since that time, the parties have met and conferred regarding the calculation of loss amount. The parties are now in agreement that the appropriate calculation of loss for the purpose of calculating the Sentencing Guidelines is between \$1,000,001 and \$2,500,000. Accordingly, the parties will not present any evidence at the hearing set for November 21, 2008, and will be prepared to go forward with sentencing.

The United States has previously filed two memoranda (one under seal) with respect to sentencing in this matter.

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The defendants will file their sentencing memoranda prior to the hearing on November 21, 2008.

SO STIPULATED.

DATED: November 13, 2008

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
KYLE F. WALDINGER
RICHARD C. CHENG
Assistant United States Attorneys

DATED: November 13, 2008

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*** ORDER ***

The Court accepts the parties' Stipulation and orders the Clerk to convert the evidentiary hearing currently set for November 21, 2008 to a Judgment and Sentencing proceeding. The Court orders that the time of the hearing be changed from 1 p.m. to **11:30 a.m.**

Criminal Local Rule 32-5(b) requires that Sentencing Memorandums be filed at least 7 days prior to the date set for sentencing. Thus, if the Defendants elect to file sentencing memorandums, they shall be filed on or before **November 19, 2008**.

Dated: November 18, 2008


JAMES WARE
United States District Court

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